

**037002** (Published in The Wichita Eagle on August 13, 2004)

ORDINANCE NO. 46-231

AN ORDINANCE MAKING AND FILING AN INCREMENT IN AD VALOREM TAXES FOR THE NORTH INDUSTRIAL CORRIDOR REDEVELOPMENT DISTRICT, CITY OF WICHITA, KANSAS, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2005, AND ENDING DECEMBER 31, 2005.

WHEREAS, the City of Wichita, Kansas, has previously, by Ordinance No. 43-009, established a Redevelopment District designated as the North Industrial Corridor Redevelopment District under authority of K.S.A. 12-1770, *et seq.*; and,

WHEREAS, the City has by ordinance passed, upon a 2/3 affirmative vote of the governing body, a redevelopment plan for the North Industrial Corridor Redevelopment District, the District being created in 1996; and,

WHEREAS, the City has previously found that the conditions set forth in K.S.A. 1995 Supp. 12-1771(a)(2) did exist and therefore the increment in ad valorem taxes for the North Industrial Corridor Redevelopment District is set on a yearly basis as provided in K.S.A. 12-1771a(b); and,

WHEREAS, the boundaries of the North Industrial Corridor Redevelopment District are described in "Exhibit A" attached hereto;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. The City of Wichita, Kansas, has adopted a budget requiring \$1,165,300.00 of increment funds in ad valorem taxes from the North Industrial Corridor Redevelopment District (the boundaries of the District are described in "Exhibit A" attached hereto).

SECTION 2. In accordance with Section 1 hereof, the City of Wichita, Kansas, hereby sets the increment to be collected from ad valorem taxes produced from property located within the North Industrial Corridor Redevelopment District at \$1,165,300.00 for the year beginning January 1, 2005, and ending December 31, 2005.

SECTION 3. The purpose of setting this increment is to pay the direct costs of investigation and remediation of the contaminated condition that exists in the North Industrial Corridor Redevelopment District that are anticipated to be incurred between January 1, 2005, and December 31, 2005, including costs of remediation and investigation, and feasibility studies, operation and maintenance expenses and other expenses relating directly to the investigation and remediation of contamination. The increment set herein does not exceed twenty percent (20%) of the amount of taxes that were produced in 1996, which is the year in which the North Industrial Corridor Redevelopment District was first established.

SECTION 4. That the Director of Finance of the City of Wichita, Kansas, is hereby directed to make proper certification of the increment to be produced from ad valorem taxes that are to be levied in the North Industrial Corridor Redevelopment District to the County Clerk of Sedgwick County, Kansas, in conformity with and as provided by law.

SECTION 5. This ordinance shall take effect and be in full force and effect from and after its passage and publication once in the official City paper.

PASSED by the governing body of the City of Wichita, Kansas, this 10th day of August, 2004.

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Carlos Mayans, Mayor

ATTEST: (SEAL)

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Karen Sublett, City Clerk

APPROVED AS TO FORM:

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Gary E. Rebenstorf, City Attorney and Director of Law

## BUDGET SUMMARY

The expenditures, revenues and the amount of 2004 tax to be levied (published below) establish the maximum limits of the 2005 budget for the Groundwater Contamination Project of the North Industrial Corridor Redevelopment District.

<b>North Industrial Corridor Redevelopment District</b>		<b>Amount To</b>
<b><u>Revenues:</u></b>	<b><u>2005 Proposed Budget</u></b>	<b><u>Be Levied</u></b>
Contributions - potentially responsible parties	0	
Interest earnings	30,000	
Cost to be funded by a levy from the North Industrial Corridor Redevelopment District*	<u>1,165,300</u>	<u><b>\$ 1,165,300</b></u>
<b>Total Revenues</b>	<b>\$1,195,300</b>	
<b><u>Expenditures:</u></b>		
Personal services	0	
Contractuals	2,204,370	
Commodities	3,380	
Capital outlay	10,500	
Debt service	0	
Environmental remediation projects	<u>1,400,000</u>	
<b>Total Expenditures</b>	<b>\$3,618,250</b>	

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\* The North Industrial Corridor Redevelopment District was formed under authority of Ordinance No. 43-009 and K.S.A. 12-1770 *et seq.*

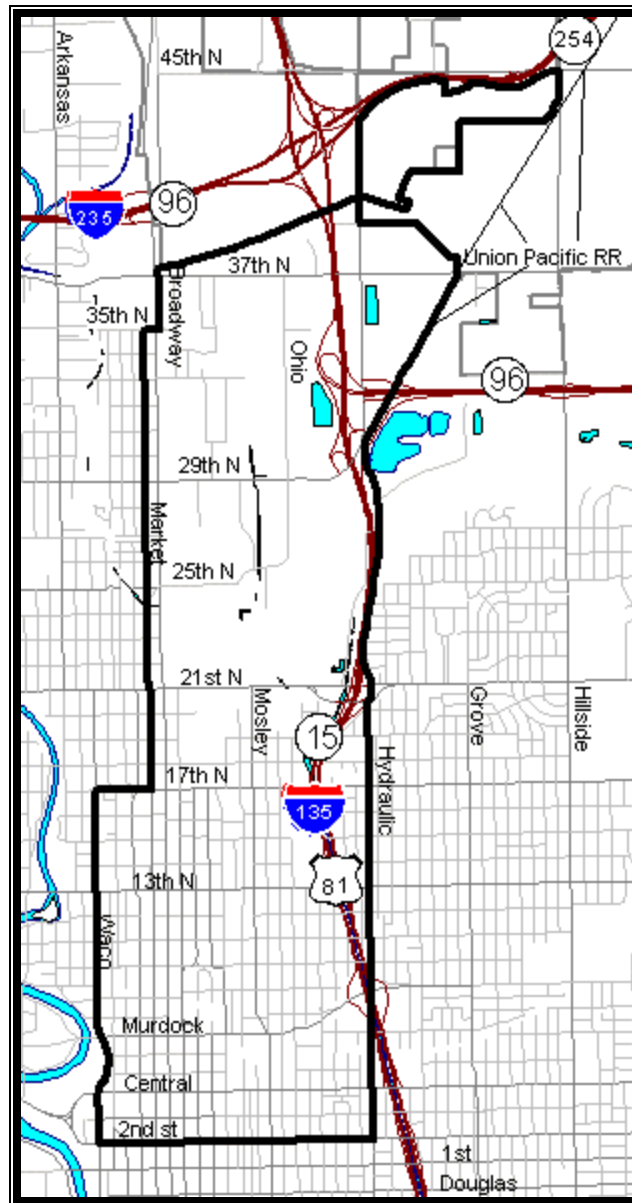
K.S.A. 12-1771a(d) provides that the real property taxes produced by the environmental increment from a redevelopment district shall be allocated and paid by the County Treasurer to the Treasurer of the City and deposited in a special separate fund of the City to pay the direct cost of investigation and remediation of contamination in the redevelopment district. K.S.A. 12-1771a(b) provides that the environmental increment is set on a yearly basis and each year's increment shall be set in an amount sufficient to pay the direct costs of investigation and remediation of the contaminated condition anticipated to be incurred that year. The mill levy rate for property located inside the Redevelopment District does not increase as a result of this levy. Therefore, an estimate of the mill levy rate is not included in this budget summary.

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City Clerk

## **DESCRIPTION OF THE NORTH INDUSTRIAL CORRIDOR REDEVELOPMENT DISTRICT (TIF DISTRICT #2)**

Within the City of Wichita, Sedgwick County, Kansas, beginning at the intersection of 37<sup>th</sup> Street North and Broadway Avenue, thence south along the center line of Broadway Avenue to the intersection of Broadway Avenue and 35<sup>th</sup> Street North, thence west along the center line of 35<sup>th</sup> Street North to the intersection of 35<sup>th</sup> Street North and Market Street, thence south along the center line of Market Street to the intersection of Market Street and 17<sup>th</sup> Street, thence west along the center line of 17<sup>th</sup> Street to the intersection of 17<sup>th</sup> Street and Waco Avenue, thence south along the center line of Waco Avenue to the intersection of Waco Avenue and Second Street, thence east along the center line of Second Street to the intersection of Second Street and Hydraulic Avenue, thence north along the center line of Hydraulic Avenue to the point where the center line of Hydraulic Avenue intersects the east right of way of Interstate Highway I-135, thence generally north along the east right of way of Interstate Highway I-135 to the point where the east right of way of Interstate Highway I-135 intersects the west right of way of the Union Pacific Railroad, thence generally northeast along the west right of way of the Union Pacific Railroad to the center line of 37<sup>th</sup> Street North, thence generally northwest and southeast along the boundary line of the corporate limits of the City of Wichita as defined by the boundary resolution of December 19, 1995, to the center line of Hydraulic Avenue, thence north along the center line of Hydraulic Avenue to the south right of way of State Highway K-254, thence generally east along the south right of way of State Highway K-254 to the center line of Hillside Avenue, thence generally northeast and southwest along the boundary line of the corporate limits of the City of Wichita to the intersection of 37<sup>th</sup> Street North and Broadway Avenue, being the point of beginning.



**THE NORTH INDUSTRIAL CORRIDOR REDEVELOPMENT DISTRICT  
(TAX INCREMENT FINANCING DISTRICT #2)**